

SUMMARY OF CHANGES TO COUNTY AND SCHOOL DISTRICT BUDGETING GUIDELINES – HB 123 (2011 Session)

Current Law	HB123 Changes	Description	Affected Statute(s)	Comments
June 30	June 30	Close of the fiscal year.	20-1-301, MCA	For reference only.
Between July 1 and Aug 4	Between July 1 and August 10	District clerk publishes one notice of date, time and place of budget meeting.	20-9-115	
By September 1	By 3rd Friday in July	OPI allocates annual statutory appropriation for technology fund.	20-9-534(2)	
By July 10	By July 20	County treasurer provides bond, endowment fund and cash balances information for school trustees' financial summary (TFS) and cash balances for county school funds supported by countywide levies.	20-9-121(1), (2),(3) 20-9-604(5)	
By 1 st Monday in August	By 1 st Monday in August	Department of Revenue delivers taxable valuation information to county superintendent.	20-9-122	For reference only.
Not later than August 15	Not later than August 15	Trustees report annual financial activities of each fund maintained by the district to the county superintendent.	20-9-213(6)	For reference only.
Not later than September 1	On or before August 15	Annual fiscal reports for joint school districts must be submitted to the county superintendent of each county in which part of the joint district is situated.	20-9-213(6)	
August 10 (OPI form FP-8 due date)	August 15 (OPI form FP-8a due date)	County superintendent receiving the budget of a joint district computes the estimated budget revenue and determine the number of mills that need to be levied in the joint district for each fund. Non-located county submits information to located county.	20-9-151(2)	
Before the 2 nd Monday in August	Before the 2 nd Monday in August	County superintendent computes revenue available to finance the transportation budget.	20-10-144	For reference only.
On or before August 15	On or before August 20	Trustees meet to consider all budget information and any attachments required by law.	20-9-131(1)	

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Not later than 4 th Monday in August	Not later than August 25 and before the computation of the general fund net levy requirement by the county superintendent and the fixing of the tax levies for each district	Trustees adopt final budget. Trustees of a joint district shall adopt a budget according to school budgeting laws and send a copy to the county superintendent of each county in which a part of the joint district is located.	20-9-131(2) 20-9-151(1)	
Within 5 days after final approval	Within 3 days after final approval	Upon final approval, trustees deliver adopted budget, including amounts to be raised by tax levies, to the county superintendent.	20-9-131(3)	
On or before August 20 (OPI form FP-8 due date)	On or before August 25 (OPI form FP-8b due date)	County superintendent in located county prepares and signs a joint statement of the required levies for joint districts (OPI form FP-8) and submits to county superintendent in non-located county.	20-9-151(2)	
On the 4 th Monday in August	By the later of 1st Tuesday in September or within 30 calendar days after receiving certified taxable values By the later of 1st Tuesday in September or within 30 calendar days after receiving certified taxable values	County superintendent reports levy requirements to the county commissioners <ul style="list-style-type: none"> - General fund - Bus depreciation reserve fund - Debt service fund - Building reserve fund - Non-operating fund - Technology fund - Adult education fund - Transportation fund - County Retirement fund (countywide levy) - County Transportation fund (countywide levy) - Levies for joint districts County superintendent places the final adopted school budgets before the county commissioners.	20-9-141(3) 20-10-147(2) 20-9-439(2) 20-9-503(1) 20-9-506(3) 20-9-533(4) 20-7-705(5) 20-10-144(5) 20-9-501(5)(b) 20-10-146(3) 20-9-151(3) 20-9-142	

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By the later of the 2 nd Monday in August or within 45 calendar days after receiving certified taxable values	By the later of the 1st Thursday in September or within 30 calendar days after receiving certified taxable values	County commissioners shall fix tax levies.	7-6-4036	
By the 4 th Monday in August	By the later of the 1st Thursday in September or within 30 calendar days after receiving certified taxable values	County commissioners of each county in which a part of a joint district is located shall fix and levy taxes on that portion of the joint district located in each board's county.	20-9-152(1)	
By 2 nd Monday in August	By the later of the 1st Thursday in September or within 30 calendar days after receiving certified taxable values	County commissioners levy community college mills.	20-15-313	
Not later than the 2 nd Monday in September	On or before September 15	County superintendent submits annual reports to OPI: (1) final budget for each district; (2) revenue amounts and levy requirement for county transportation and county retirement funds; (3) financial activities of each district of the county (TFS); and (4) other, as requested by OPI.	20-3-209	
On or before the 2 nd Monday in September	On or before September 15	After final budget is adopted by trustees, the county superintendent completes all remaining portions of the budget forms and sends final budget to OPI.	20-9-134(1)	
Not later than the 2 nd Monday in September	On or before September 15	County superintendent submits a report of the revenues amounts used to establish the levy requirements for county school funds supporting elementary and high school transportation and retirement obligations to OPI. (OPI form FP-10).	20-9-501(11) 20-10-146(4)	
Not later than the 2 nd Monday in September	Repealed	County superintendent report to OPI the financial activity during the preceding fiscal year of each district of the county as prescribed by OPI and on OPI's forms.	20-9-211 20-3-205(1)(l)	

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By the 3 rd Monday in August	By the 2nd Monday in September or within 30 calendar days after receiving certified taxable values	County clerk and recorder reports the number of mills needed to be levied for each taxing jurisdiction in the county to the Department of Revenue.	15-10-305(1)	
By the 2 nd Monday in October	By the 2 nd Monday in October; however if the county clerk and recorder fails to timely notify Department of Revenue of the number of mills as required in (1), the DOR has additional time equal to the number of days the information was received late	Department of Revenue completes the computation of taxes, fees and assessments to be levied against the property and notifies the county clerk and recorder and county treasurer.	15-10-305(2)	
Within 10 days after receipt of the property tax record	Within 10 days after receipt of the property tax record	County treasurer sends each taxpayer a written notice of taxes and assessments due for the current year. <ul style="list-style-type: none"> One-half of all taxes levied and assessed is due on November 30 or within 30 days after the notice is postmarked. One-half of the taxes levied and assessed is due on May 31. 	15-16-101	For reference only.